

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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CALEB BROUK,
Plaintiff,

vs.

GRANITE GAMING CROUP I, LLC,
et al.,
Defendants.

2:11-cv-01930-PMP-VCF

ORDER


Before the Court for consideration is Plaintiff's Motion in Limine #3 To Preclude Defendants From Using At Trial Any Documents Untimely Produce (Doc. #80). Defendants filed a Response to Plaintiff's Motion (Doc. #93). Having considered the arguments of counsel presented on the papers and at the hearing conducted January 9, 2014, the Court finds Plaintiff's motion in limine must be denied.

Specifically, it appears the Alarmco Alarm System Reports and related emails were produced with Defendants' First Supplemental Disclosures on or about June 25, 2012. Moreover, it appears from Defendants' Response that Alarmco representative Thomas Wilson, would be called at trial, if at all, simply to authenticate the Alarmco documents. The forty-two photographs of air conditioners

1 produced at the Parties' Settlement Conference conducted August 29, 2013, would,
2 according to Defendants, be utilized merely as demonstrative exhibits at trial. At
3 this stage it cannot be determined whether or to what extent any such photographs
4 would be admitted, and the Court will reserve ruling as to the admissibility of such
5 photographs until the time of trial. Finally, the CV of Plaintiff Brouk were,
6 according to Defendants, produced as soon as they were discovered. Again, it is
7 unclear whether or to what extent Plaintiff's CV would be admissible at trial, but the
8 Court will not preclude the offer of the CV in question on the ground that it was
9 untimely produced.

10 **IT IS THEREFORE ORDERED** that Plaintiff's Motion in Limine #3 To
11 Preclude Defendants From Using At Trial Any Documents Untimely Produce (Doc.
12 #80) is DENIED.

13 DATED: January 13, 2014.

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17 PHILIP M. PRO
18 United States District Judge
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